

Exhibit C

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DEMOCRACY NORTH CAROLINA;)
NORTH CAROLINA BLACK ALLIANCE;)
LEAGUE OF WOMEN VOTERS OF)
NORTH CAROLINA,)
)
Plaintiffs,)
)
vs.) Civil Action No.
) 1:23CV00878-TDS-JEP
ALAN HIRSCH, in his official)
capacity as CHAIR OF THE STATE)
BOARD OF ELECTIONS; JEFF)
CAMERON III, in his official)
capacity as SECRETARY OF THE)
STATE BOARD OF ELECTIONS;)
STACY EGGERS IV, in his)
official capacity as MEMBER)
OF THE STATE BOARD OF)
ELECTIONS; KEVIN LEWIS, in his)
official capacity as MEMBER OF)
THE STATE BOARD OF ELECTIONS;)
SIOBHAN O'DUFFY MILLEN, in her)
official capacity as MEMBER OF)
THE STATE BOARD OF ELECTIONS;)
KAREN BRINSON BELL, in her)
official capacity as EXECUTIVE)
DIRECTOR OF THE STATE BOARD OF)
ELECTIONS; NORTH CAROLINA)
STATE BOARD OF ELECTIONS,)
)
Defendants.)
	/

VIDEOTAPED DEPOSITION OF CLETA MITCHELL
(Taken by Plaintiffs)
Raleigh, North Carolina
Wednesday, September 25th, 2024

Certified Stenographic Court Reporter
Amy A. Brauser, RPR, RMR, CRR

1 Q. I didn't mean to go into them.

2 A. Okay.

3 Q. Actually, I want to focus on the
4 Election Integrity Network.

5 A. Okay.

6 Q. When I say the "Election Integrity
7 Network," what does that mean to you?

8 A. Just what it says. It's a network of
9 people working for election integrity.

10 Q. Okay. I have read that you are
11 considered to be one of the founders of the
12 Election Integrity Network. Would that be a fair
13 characterization?

14 A. It would.

15 Q. How would you characterize the work of
16 the Election Integrity Network?

17 A. To help train and mobilize citizens to
18 be knowledgeable about elections, election law, and
19 the administration of elections and a variety of --
20 encompassing a lot of different components and to
21 help give people tools and knowledge and
22 information that they can -- that empowers them to
23 be involved in the election process.

24 Q. Were there other founders of the
25 Election Integrity Network?

1 effect."

2 So what are you talking about when you
3 say "articles"?

4 A. I think we've got pretty far afield.
5 Why don't we -- why are you asking me these things?

6 Q. You said articles and reports and
7 effects. I just want to understand --

8 A. I've read report -- I've read reports.
9 I've done research. I've looked at research that
10 others have done about the funding of the vast
11 number of leftist organizations in the election
12 space.

13 Q. So that's what you're relying upon
14 rather than articles?

15 A. Correct.

16 Q. Okay. We can agree that your efforts,
17 at least since the 2020 election, have been to
18 build an election system so that those who vote and
19 those who run know that the system is fair?

20 A. Correct.

21 Q. But that certain things need to be
22 fixed to make it fair?

23 A. Correct.

24 Q. Is same-day registration one of the
25 things that needs to be fixed?

1 A. Yes.

2 Q. Why?

3 A. Because it is impossible to confirm
4 identity, residency or citizenship with same-day
5 registration.

6 Q. Why do you say that?

7 A. There's no way to confirm that someone
8 is who they say -- is who they say they are, that
9 they're eligible to register to vote, and that
10 they're a citizen of the United States. And the
11 ballot is counted before the opportunity is
12 available to confirm that those things are true.
13 And I think that's a huge problem. I think that's
14 a threat to the integrity of our elections.

15 Q. Do you have data supporting what you
16 say?

17 A. No. You are asking me about scientific
18 studies?

19 Q. Sorry?

20 A. I don't know. I know -- well, I know
21 that there was an analysis in Michigan that most --
22 our side doesn't have funding to do these kinds of
23 things. But there was a study that was performed
24 after the 2022 election in Michigan that showed
25 that there were, at particular precincts, I won't

1 Q. The statute.

2 A. The statute itself?

3 Q. Uh-huh.

4 A. I don't know.

5 Q. Do you know whether the statute was
6 reviewed by the federal district courts in --

7 A. I have no idea.

8 Q. Or the United States Court of Appeals
9 for the Seventh Circuit?

10 A. I have no idea.

11 Q. Or the United States Supreme Court?

12 A. I have no idea.

13 Q. So you don't know whether the procedure
14 that's followed in Wisconsin was, in fact, dictated
15 by a United States Supreme Court decision in 2020?

16 A. No.

17 Q. Okay. Would that have any impact on
18 your view as to whether it's an appropriate
19 statute?

20 A. Not necessarily.

21 Q. Okay. Other than the two instances in
22 Wisconsin and the one in Michigan, is there any
23 other data on which you would rely?

24 A. For what?

25 Q. For your criticism of SDR.

1 A. I don't believe that it is a proper
2 methodology. I believe that people should have to
3 register to vote at a period of time preceding the
4 election so that their identity and residency and
5 citizenship can be confirmed, that their
6 eligibility to cast a vote can be confirmed. That
7 is not possible when they register and vote on the
8 same day.

9 Q. I'm going to get to the elements of SDR
10 in North Carolina in a few minutes.

11 A. Okay.

12 Q. Okay. But you say so categorically
13 that it's not possible on the same day. You --
14 those votes that they cast in same-day
15 registration, those are not counted that day, are
16 they?

17 A. I don't know.

18 Q. Do you know when those votes are
19 counted?

20 A. No.

21 Q. Does that make a difference to whether
22 you think that there can be verification?

23 A. There could be -- whether there could
24 be verification?

25 Q. Yes.

1 A. It would depend. It would depend on
2 what is the process for confirming the identity,
3 residency, and citizenship, the basic eligibility.
4 Are they doing that?

5 Q. Is it possible in your view for
6 same-day registration to be done and maintain the
7 integrity of an election?

8 A. No. Not in my view.

9 Q. And to be sure I understand. Because
10 there's inadequate time to confirm the identity of
11 the voter?

12 A. The identity, residency, citizenship,
13 all of those things that comprise eligibility.

14 Q. Okay. As I recall, you grew up in
15 Oklahoma.

16 A. I did.

17 Q. And you voted in Oklahoma the first
18 time?

19 A. Yes.

20 Q. Okay. How old were you when you voted
21 for the first time?

22 A. I think I was 21 because it had not
23 been -- because the amendment had not been adopted
24 until after I turned 18.

25 Q. When you were 21, were you still in

1 involved with conservative groups.

2 And I'm just trying to understand that
3 statement.

4 A. Well, that was within a context
5 about -- being asked about what was going on in the
6 postelection of 2020 and why I was getting so many
7 inquiries.

8 Q. You said: (Reading)

9 I represented a number of the
10 organizations where Lois Lerner and
11 the IRS came after them and the
12 conservatives in the targeting of the
13 Tea Party and conservative groups in
14 2010, '11, '12, and '13. So I'm a
15 trusted source for information.

16 A. That's true.

17 Q. Would you say --

18 A. But that's -- I'm a trusted source for
19 information by conservatives.

20 Q. Okay. What do you mean by
21 "conservatives"?

22 A. What do I mean by "conservatives"?

23 Q. Yeah.

24 A. Okay. I would say that a conservative
25 is someone who believes in the rule of law, who

1 A. It may not even require a week. That
2 might be able to be shortened, but I don't think
3 that it should be the same day.

4 Q. Okay.

5 Do you know whether -- I'm sorry.

6 Does the participation of college
7 students contribute to the manipulation of
8 outcome -- of election outcomes?

9 A. Ask me that again.

10 Q. Sure.

11 Does the participation of college
12 students contribute to the manipulation of election
13 outcomes?

14 A. It does.

15 Q. How?

16 A. It's a voting block that the Democrats
17 seized upon at least a decade ago because they knew
18 that it's a Democrat voting block. So if -- the
19 easier you can make it for their demographics to be
20 able to participate, that's more votes for the
21 Democrats. That's what they decided.

22 Q. But I used the term "manipulation."
23 How is that --

24 A. I think that's a manipulation, because
25 the laws have been changed to make it possible for

1 a preferred voting block to have basic preferential
2 treatment under the statute.

3 Q. So what's the alternative for a college
4 student to be able to vote?

5 A. Alternative to what?

6 Q. Alternative to voting in the way
7 they're voting now. You're saying the way they
8 vote now is a manipulation. So how would you do
9 it --

10 A. The laws --

11 Q. Let me finish my question.

12 How would you do it so that it's not a
13 manipulation?

14 A. A college student should have to meet
15 the same residency requirements as anyone else in
16 the state. They should not be given any kind of
17 preferential treatment in terms of location of
18 polling places, in terms of use of student IDs,
19 which do not verify citizenship or residency,
20 because you don't have to be a citizen or a
21 resident to get a student ID. And all of the
22 different changes in the laws that have made it
23 possible for this collection of this Democrat
24 voting block to be able to generate more votes for
25 Democrats is, I think, a use of the statute that is

1 improper.

2 Q. That's an opinion that you have
3 repeated many times, isn't it?

4 A. What?

5 Q. That description of why college
6 students -- allowing college students to vote in
7 the way that they do now is effectively
8 manipulation of elections?

9 A. I've seen -- I know what the leftist
10 groups do. I'm on the e-mail list. I just got --
11 we saw this probably most predominantly, most
12 publicly during the Obama campaign where there were
13 left wing groups that were organizing to get
14 students to cast their votes in certain states
15 rather than others. Don't vote in California, we
16 got California. If you're from California and
17 you're at a school not in California, vote here
18 because that your impact will be greater.

19 So there's been a deliberate planned
20 effort for at least, what, 15 years to manipulate
21 the college student vote to benefit one political
22 party. I don't think the statute should be part of
23 supporting one political party or the other.

24 Q. So let me break that down.

25 Is it, in your view, inappropriate for

1 that you have to intend to live in a dorm forever
2 to be a resident of the state of North Carolina?

3 MR. BROOKS: Objection to form.

4 THE WITNESS: I've never said that.

5 I've never said that.

6 BY MR. DOCKTERMAN:

7 Q. I'm just looking at the transcript
8 here, Ms. Mitchell, and --

9 A. Well, I do not believe that there is
10 sufficient effort to confirm residency of college
11 students.

12 Q. Okay. I'm going to ask you again
13 whether you have any data to support that.

14 A. I know of no effort to confirm
15 residency of college students for purposes of
16 allowing students to register to vote. It's very
17 porous, and I think college students are treated
18 differently than other persons.

19 Q. Do you distinguish between students
20 paying in-state tuition and those paying
21 out-of-state tuition?

22 MR. BROOKS: Objection.

23 THE WITNESS: I don't know what the
24 context of that is.
25

1 I think you said that in your view,
2 student voters are not exactly a protected class.

3 A. They are not.

4 Q. And we need to pay attention to that.

5 A. Yes, we do.

6 Q. What do you mean by "pay attention to
7 that"?

8 A. I think that we need to be aware of how
9 the statutes have been enacted for the purpose of
10 giving special privileges to a class that should
11 not -- that is not entitled to those special
12 privileges.

13 Q. So give me an example of the statutes
14 in North Carolina that give those students special
15 privileges of the type you just described.

16 MR. BROOKS: Objection, asked and
17 answered.

18 THE WITNESS: I think that the North
19 Carolina statute is violated on a regular
20 basis, in my opinion, by virtue of the
21 location of polling places on college
22 campuses.

23 BY MR. DOCKTERMAN:

24 Q. Is there a statute that says that there
25 has to be a polling place on a college campus?

1 being enforced by the State Board of Elections and
2 the county Boards of Elections?

3 A. Correct.

4 Q. I think you've said that it is the
5 Democratic Party's strategy to support same-day
6 registration and put polling places on campuses.

7 A. Yes.

8 Q. And you've said, "That's so college
9 students can just roll out of bed, vote, and get
10 back into bed."

11 A. Yes.

12 Q. Because you think that students are
13 going to vote 95 percent for one party?

14 A. That's right.

15 Q. And that party is not the Republican
16 Party?

17 A. That's right.

18 Q. And therefore, it's not a fair
19 election?

20 A. It's not fair. Those locations and
21 those rules benefit one party over another, and I
22 don't think the election rules should be shaped to
23 benefit one party over another.

24 Q. Do you have any data to support that
25 assertion?

1 BY MR. DOCKTERMAN:

2 Q. I think you've also said, but you'll
3 correct me if I misheard this on one of the
4 podcasts If a college campus does not insist on
5 having speakers from all political persuasions, all
6 political parties, they can't have a polling
7 placing there.

8 A. Right.

9 Q. Right?

10 A. Yeah. They shouldn't be able to.

11 Q. I'm trying to --

12 A. Figure that out?

13 Q. Well, I'm trying to figure out the
14 difference between that and that there shouldn't
15 being polling places on campuses, period.

16 A. I think that it's a mistake. I think
17 that it is unfair to locate polling places on
18 college campuses, and not just because of the
19 students but because of the faculty. I mean, what
20 you create is a -- it's why this was one of the
21 priorities when this started about ten years ago,
22 to put polling places on college campuses, to have
23 same-day registration so that it would be much
24 easier for college students to vote because it was
25 a known pocket of Democrat votes. Same with the

1 Q. Okay.

2 A. I do remember a discussion about that,
3 but that's the only thing I remember.

4 Q. And those are Numbers 10 and 11 on
5 page 27 of this document?

6 A. Correct.

7 Q. Okay. Going back to page 24, it shows
8 that there was a discussion -- excuse me, there's a
9 discussion point about eliminating same-day
10 registrations during early voting.

11 Do you see that?

12 A. I do.

13 Q. And I think you're telling us you don't
14 remember a discussion about that?

15 A. I don't.

16 Q. Do you remember whether this was left
17 with anybody in the room?

18 A. I don't know.

19 Q. Okay. I'd ask you also to take a look
20 at page 26.

21 A. Okay.

22 Q. Okay. And you'll understand why I'm
23 talking about this in a minute. But take a look at
24 Number 6.

25 A. Number 6?

1 you very much.

2 THE WITNESS: I have one thing I would
3 like to add.

4 MR. DOCKTERMAN: Certainly.

5 THE WITNESS: What I realize here is
6 people who support election integrity invoke
7 my name as a means of showing I support.
8 People who hate election integrity invoke my
9 name as a means of discrediting whatever
10 they're trying to oppose. So my name gets
11 invoked a lot, and I'm often -- oftentimes
12 have nothing to do with what they're invoking
13 my name about. Just -- that's just a fact.
14 It's just the fact.

15 MR. DOCKTERMAN: I appreciate that.
16 Thank you very much.

17 MR. BROOKS: No questions.

18 MR. DOCKTERMAN: No questions. Okay.

19 We're going to have this written up --
20 stay on for a minute.

21 We're going to have this written up and
22 you'll have the opportunity to review the
23 transcript.

24 THE WITNESS: Okay.

25 MR. DOCKTERMAN: And then you'll have a